IN THE MATTER OF subsection 17(24) of the Planning Act, R.S.O. 1990, C. P. 13, as amended

Appellant: Family Practice (Dixie) Ltd.
Subject: OPA 143 Ancaster Wilson Street Secondary Plan
Municipality: City of Hamilton
OMB Case No.: PL120783
OMB File No.: PL120783

APPEARANCES:

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<th>Parties</th>
<th>Counsel</th>
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<td>City of Hamilton</td>
<td>M. Kovacevic</td>
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<td>Family Practice (Dixie) Ltd.</td>
<td>B. Duxbury</td>
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DECISION DELIVERED BY J. V. ZUIDEMA AND ORDER OF THE BOARD

[1] The Board was advised that following prior appearances before the Board differently constituted, a settlement had been achieved with the one remaining appellant on this matter, namely Family Practice (Dixie) Ltd. (“Appellant”). Minutes of Settlement had been executed between the Appellant and the City of Hamilton (“City”) and filed with the Board.

[2] The Board heard unchallenged expert testimony from Melanie Pham, who was qualified and accepted as an expert in land use planning. Ms. Pham’s evidence was the only evidence provided and she opined that the settlement represented good and proper planning, was in the public interest and met the policy requirements of the Growth Plan for the Greater Golden Horseshoe, the 2005 Provincial Policy Statement, the Official Plan for the former Region of Hamilton-Wentworth, the Official Plan for the former Town of Ancaster and the City’s Urban Official Plan, which is currently under appeal. Ms. Pham took me to specific sections of these policies to support her opinion.
Further she described the history and background which led to the settlement. In a nutshell, an earlier OMB decision granted relief through a minor variance application which had been filed by the Appellant. That earlier decision by a different Board Member was issued July 2012. The City embarked on its Secondary Plan exercise for the Uptown Core and Village Core in Ancaster. The site specific exemption proposed by the settlement reflects the Board’s earlier decision for property located at 385 Wilson Street.

The proposed site specific amendments are to both the text and mapping and reflect the permission granted by the Board at the earlier minor variance hearing.

The Board provided an oral decision allowing the appeal in part in order to give effect to the settlement achieved and in all other respects, dismissed the appeal. The Board relied on the uncontested expert evidence of Ms. Pham to come to this conclusion.

For ease of reference, the modifications to OPA 143 are included as Attachment 1 to this decision. Specifically, the Board modifies and as modified, approves the amended polices found at pages 24, 56, 59 and Map 1 outlining Area F of the City’s Document Book, Tabs 5 and 6 and filed as Exhibit 2.

The Board congratulates the parties for achieving this resolution.

“J. V. Zuidema”

J. V. ZUIDEMA
VICE CHAIR
ATTACHMENT 1

Authority: Item 8.6, Planning Committee
Report: 12-009 (PED12078)
CM: (June 13, 2012)

Bill No. 133

CITY OF HAMILTON

BY-LAW NO. 12-133

To Adopt:

Official Plan Amendment No. 143 to the former Town of Ancaster Official Plan

Respecting:

The Ancaster Wilson Street Secondary Plan

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 143 to the former town of Ancaster Official Plan consisting of Schedule “1”, hereto annexed and forming part of this by-law, is hereby adopted.

PASSED AND ENACTED this 13th day of June, 2012.

__________________________  __________________________
Robert Bratina              Rose Caterini
MAYOR                     CLERK
Draft Amendment No. 143

to the

Official Plan of the Former Town of Ancaster

The following text, together with:

• Schedule “A” - Schedule B - Town of Ancaster Land Use - Urban Area;
• Schedule “B” - Schedule F - Special Policy Area;
• Schedule “C” - Map 1 - Ancaster Wilson Street Secondary Plan: Land Use Plan;
• Schedule “D” - Appendix A - Character Areas and Heritage Features; and,
• Schedule “E” - Appendix B - Connections;

attached hereto, constitutes Official Plan Amendment No. 143 to the Official Plan of the former Town of Ancaster.

Purpose:

The purpose of the Amendment is to:

• Create a Secondary Plan for the Wilson Street area which refines land use to create a pedestrian friendly environment which also conserves the heritage and character of the Ancaster Area;

• Incorporate the Ancaster Wilson Street Secondary Plan into the former Town of Ancaster Official Plan, identifying land uses, densities, development forms, cultural heritage features, development, and urban design standards;

• Establish a portion of the Secondary Plan area as a Community Node as a focus area for development and community life; and,

• Amend various policies and schedules of the former Town of Ancaster Official Plan to reflect the principles and policies contained in the Ancaster Wilson Street Secondary Plan.

The effect of the Amendment is to establish a policy framework which shall guide the development and redevelopment of lands within the Ancaster Wilson Street Secondary Plan area.
Location:
The lands affected by this Amendment are located in Ancaster, along Wilson Street east and west from Montgomery Drive to Meadowbrook Drive/Hamilton Drive. The areas include frontage properties along Wilson Street, as well as some properties immediately adjacent to the Wilson Street frontage properties, within the former Town of Ancaster, as illustrated on Schedule “C” to this Amendment.

Basis:
The intent of this Amendment is to establish a detailed land use framework for the Ancaster Wilson Street Secondary Plan area. The basis for this Amendment is as follows:

- The proposed Secondary Plan offers an opportunity for increased density with a mix of land uses, which is consistent with the intent of the Places to Grow Plan;
- The proposed policy framework for the Ancaster Wilson Street Secondary Plan is in conformity with the general intent and objectives of the Region of Hamilton-Wentworth Official Plan and Town of Ancaster Official Plan;
- The proposed Secondary Plan will provide land use and urban design direction for the development and redevelopment of lands within the Secondary Plan area;
- The Secondary Plan aids in the long term viability of the Village Core area, as well as conserving the heritage and character of the area; and,
- The proposed Secondary Plan designations are compatible with the existing and planned development in the immediate area.

Actual Changes:

Map Changes:

1. Schedule ‘B’ - Land Use - Urban Area, is amended by redesignating lands from “Institutional” to “Residential”, “Institutional” to “Commercial”, “Institutional” to “Open Space”, and “Residential” to “Commercial”, as shown on the attached Schedule “A” to this Amendment.

2. Schedule ‘F’ - Specific Policy Area, is amended by deleting Specific Policy Areas 1, 13, 17, 19, 31, 49, 51, 58, 60, and 65, and modifying the SPA boundaries of SPA 4 and 5 for the subject lands, as shown on Schedule “B” to this Amendment.

3. The Town of Ancaster Official Plan is amended by adding a new schedule, “Map 1 - Ancaster Wilson Street Secondary Plan - Land Use Plan”, as shown on the attached Schedule “C” to this Amendment.
4. The Town of Ancaster Official Plan is amended by adding a new appendix map, “Appendix A - Character Areas and Heritage Features”, as shown on the attached Schedule “D” to this Amendment.

5. The Town of Ancaster Official Plan is amended by adding a new appendix map, “Appendix B - Connections”, as shown on the attached Schedule “D” to this Amendment.

Text Changes:

1. Policy 4.5.3 is amended by removing the words “… on Schedule F, and in Sub-section 5.4 of this Plan, which includes all properties fronting on Wilson Street from the Old Mill Restaurant to the west end of Stoneham Plaza, …” and adding the words “in Section 6.9 of this Plan” so that the policy reads as:

   “4.5.3 Areas designated Commercial shall include the Village Core area, as defined in Section 6.9 of this Plan, on Schedule F, and in Subsection 5.4 of this Plan, which includes all properties fronting on Wilson Street from the Old Mill Restaurant to the west end of Stoneham Plaza, other areas of established commercial development where controlled expansion of commercial activities is feasible and desirable, and new commercial areas in the vicinity of Duff's Corners and in the Mohawk and Meadowlands Communities.”

2. Policy 4.5.4 is amended by removing the words “in Sub-section 5.4 of this Plan”, and replacing with the words, “in Section 6.9 of this Plan”, so that the policy reads as follows:

   “…4.5.4 The Village Core area shall be one of the focal points for Commercial development and activity. In comparison to other areas designated Commercial by this Plan, it will also constitute the main pedestrian-oriented retail shopping area in the Town. Policies specific to the Village Core area are dealt with in Subsection 5.4 of this Plan in Section 6.9 of this Plan. In this regard, the Village Core area shall function as the primary centre of business, offices, services, civic and community activities within the Town, and shall have regard for the following:…”

3. Delete Section 5.4 in its entirety.

4. Delete the following Special Policy Area policies:
   - 5.7.10;
   - 5.7.14;
   - 5.7.16;
   - 5.7.28;
5. Amend Section Six - Secondary Plans of the Ancaster Official Plan by adding the following new Secondary Plan Policies for the Wilson Street area of Ancaster:

6.9 Ancaster Wilson Street Secondary Plan

6.9.1 Purpose of Secondary Plan

The Ancaster Wilson Street Secondary Plan area is located along Wilson Street between Montgomery Drive and Meadowbrook Drive in Ancaster. The Secondary Plan area consists of a narrow corridor of properties oriented to, or near Wilson Street. The secondary plan area contains existing residential, commercial, institutional, and natural open space features.

The Ancaster Wilson Street Secondary Plan establishes land uses, development standards, and provisions regarding cultural heritage, urban design, and transportation, to guide the development and/or redevelopment of lands located in the Secondary Plan area. Section 6.9 and Maps 1 - Ancaster Wilson Street Secondary Plan - Land Use Plan, Appendix A - Character Areas and Heritage Features, and Appendix B - Connections, constitute the Ancaster Community Node Secondary Plan. Within the Secondary Plan area, portions of Wilson Street have been identified as a Community Node.

Urban Design Guidelines have been prepared to support the Secondary Plan. The Ancaster Wilson Street Secondary Plan Urban Design Guidelines are a collection of recommended design approaches for built form and streetscapes. Development and redevelopment shall be required to demonstrate consistency with the Urban Design Guidelines.

6.9.2 Vision

Ancaster is a picturesque and historic community located near the Niagara Escarpment. As one of the oldest communities in Ontario, Ancaster has a rich history which manifests itself in a wealth of cultural and natural heritage features and a unique character. With a mixture of land uses, the Ancaster Wilson Street Secondary Plan will function as a complete community serving the needs of the Ancaster community. The Ancaster Wilson Street Secondary Plan will provide a variety of housing opportunities for various demographics, as well as mixed-use and commercial areas, which offer employment opportunities.
and meet the shopping and personal service needs for area residents and visitors. Institutional, open space and park areas will serve the needs of the community by improving quality of life and addressing recreation needs. The complete community of the Ancaster Wilson Street Secondary Plan will continue to respect the history and character that creates a unique sense of place.

6.9.3 Development Concept

The Wilson Street Secondary Plan area consists of lands along Wilson Street from Montgomery Drive to Meadowbrook Drive extending out from Wilson Street to incorporate abutting lands. Since the Secondary Plan area encompasses historic downtown Ancaster, it is important to maintain and enhance the overall character of this area, which includes preserving older buildings, varied street fronts, and a distinct look and feel, while ensuring that future development and redevelopment is in keeping with the direction of current planning policy. The Secondary Plan area is detailed on Map 1 - Land Use Plan Map 1 - Ancaster Wilson Street Secondary Plan: Land Use Plan.

Within the Secondary Plan area, portions of Wilson Street have been identified as a “Community Node”. While growth and infill development shall occur in all areas of the Ancaster Wilson Street Secondary Plan, the majority of growth and development shall be directed towards the Community Node. The predominantly residential neighbourhoods outside of the Community Node are intended to remain as stable low density residential areas.

Along Wilson Street, there are subtle differences in the function and built form. To recognize this diversity, five “Character Areas” have been identified, which are shown on Appendix A - Character Areas and Heritage Features. These Character Areas include:

- The Escarpment Area: Located from Montgomery Drive to Rousseaux Street;
- The Village Core: Located from Rousseaux Street to Dalley Drive;
- The Transition Area: Located from Dalley Drive to Fiddlers Green Road;
- The Uptown Core: Located from Fiddlers Green Road to west of Todd Street; and,
- The Gateway Residential area: Located from west of Todd Street to Meadowbrook Drive.

The type and form of development and redevelopment will vary by the Character Area. The main commercial areas are, and shall remain, the Village
Core and the Uptown Core. These areas are intended to provide the retail, personal service and general commercial needs for the Secondary Plan area and Ancaster. These two core areas will also function as focus areas for commercial employment in Ancaster. The Uptown Core shall also be the focus area for intensification and redevelopment. The Transition and Gateway Residential areas are predominantly residential, providing a variety of housing and living choices. Limited commercial uses, such as personal services, may be permitted. Portions of the Uptown Core, Transition Area, and Village Core shall function as the Community Node for the Secondary Plan area. Growth, development, and intensification shall be directed to the Community Node. The Escarpment Area of the Secondary Plan shall serve as a natural gateway into the other areas of the Secondary Plan area, with a focus on the natural environment and landscapes.

6.9.3.1 The policies of the Ancaster Official Plan shall apply to the Wilson Street Secondary Plan unless otherwise specified by the policies of this Secondary Plan. Where a discrepancy between the policies and or designations exists, the policies and designations of the Secondary Plan shall prevail.

6.9.4 Principles

Development of the Ancaster Wilson Street Secondary Plan shall be based on the following principles:

a) Enhance and protect heritage and cultural resources;

b) Efficient use of buildings and infrastructure;

c) Ensure a high quality of design;

d) Mixture of uses in appropriate areas;

e) Maintain strong residential focus;

f) Protect and enhance parks and connections through trail/bike networks;

g) Promote active transportation;

h) Provide for commercial opportunities; and,

i) Ensure a safe and comfortable environment for people.

6.9.5 Objectives

The following objectives provide the framework for the planning and development of the Ancaster Wilson Street Secondary Plan, and shall be
achieved through the policies of this Secondary Plan and the Official Plan. The objectives of the Ancaster Wilson Street Secondary Plan are to:

a) Allow for access to a variety of housing, employment, services, and recreation options in close proximity to each other;

b) Allow for transit by providing community scale retail and service options consistent with the function of a Community Node;

c) Build on the unique character and heritage resources of Ancaster, creating a unique urban/town environment and take advantage of opportunities to enhance these features further;

d) Promote Ancaster’s natural, cultural, and built heritage through architectural compatibility and continuity of community character through the use of appropriate building materials and architectural styles;

e) Support stable residential neighbourhoods by encouraging the maintenance of existing homes and sympathetic infill development to reinforce the character of the residential areas;

f) Encourage mixed-uses in the Uptown Core and along Wilson Street, Todd Street, and Dunham Drive;

g) Support the destination shopping role of the Ancaster Village Core and Business Improvement Area along Wilson Street, which serves the local community, as well as a wider regional market;

h) Promote existing parks to enhance the viability and liveability of the Ancaster Wilson Street Secondary Plan area;

i) Encourage design that promotes pedestrian walkability and physical activity, social interaction, and public gatherings;

j) Establish gateways at strategic locations to function as entranceways to Ancaster and the Village Core area;

k) Integrate views and vistas of historic buildings and landscapes, where possible, into the community design;

l) Encourage adaptive reuse of buildings to maintain the historic and town character of the Secondary Plan area;

m) Ensure the Ancaster Wilson Street Secondary Plan area remains well connected through various modes of transportation, linkages, and trails;
n) Support public transit service by locating commercial and additional residential uses along Wilson Street and Fiddlers Green Road;

o) Ensure that new development encourages a high degree of pedestrian prominence and appropriate access and movement for pedestrians; and,

p) Encourage a comprehensive transportation network in Ancaster.

6.9.6 Ancaster Community Node

Portions of Wilson Street and the immediate surrounding area are identified as a “Community Node”, as shown on Appendix A - Character Areas and Heritage Features. As a Community Node, this location is intended to function as a focus area for housing, commercial uses, and employment, while providing a wide variety of services to the Ancaster Community. The historic downtown of Ancaster, known as the Village Core, is the historic, cultural focal point, and one of two commercial centres located in the Ancaster Community Node, the other being the Uptown Core.

In addition to meeting the housing and commercial needs of the Ancaster Community, the Community Node area shall also remain the focus area and the historic heart of Ancaster. The historic Village Core area and the emerging Uptown Core, linked together by the Transition area, which is evolving through the expansion of permitted uses, encompass the Community Node. The western section of the Gateway Residential area is also part of the Node due to the potential for future growth.

6.9.6.1 Ancaster Community Node Policies

The following policies shall apply to the Ancaster Community Node, shown on Appendix A - Character Areas and Heritage Features:

a) Within the Ancaster Community Node, a range of uses shall be provided that allow for access to housing, employment, services, and recreation in close proximity to each other, and transit. The Ancaster Community Node shall provide services to residents and surrounding neighbourhoods in a mixed-use environment.
   i) The Ancaster Community Node shall be a focus area for growth, development and intensification within the Ancaster Wilson Street Secondary Plan.

b) Portions of the Ancaster Community Node shall provide community scale retail stores and services to the residents within the Node and surrounding neighbourhoods. The range of uses permitted and encouraged to locate within the Ancaster Community Node include a variety of housing forms and tenures, employment, institutional, recreational, and commercial uses
subject to the land use designation policies of this Secondary Plan. Residential, Commercial and Mixed-Use, Institutional and Parks and Open Space designated areas shall be developed in accordance with the land use designations of this Secondary Plan.

c) The Ancaster Community Node shall provide an employment function consisting primarily of employment in retail, services, local institutions, and government services.

d) Commercial and Mixed-Use areas within the Community Node shall provide an important source of employment in the Ancaster Wilson Street Secondary Plan, and shall support the viability of the Ancaster Community Node and meet the daily needs of residents and visitors to Ancaster. Commercial areas shall also serve as the focus for the community creating a sense of place.

e) The Ancaster Community Node shall function as a vibrant, mixed-use area containing a range of housing opportunities, including affordable housing and housing with supports. The unique characteristics of the Ancaster Community Node lend itself to a range of built forms, though the scale of development shall be consistent with the historic character of the area.

f) The Ancaster Community Node shall be linked to the City-Wide transit system through connecting conventional transit or by rapid transit, where possible. The City shall direct local routes through the Community Node, where possible.

g) Intensification and infill development shall be balanced with the heritage and historic character of Ancaster and the Community Node. As such, further guidance for incorporating heritage features, design, and overall character through infill and intensification is provided in the supporting Urban Design Guidelines.

h) Within the Ancaster Community Node, larger scale development and redevelopment are encouraged to be directed towards the Uptown Core and western portion of the Gateway Residential area, as shown on Appendix A - Character Areas and Heritage Features.

i) Mixed-Use, Commercial, and Institutional development and redevelopment is encouraged within the Village Core area, though the scale of development shall be consistent with the historic character of the area.

j) The Ancaster Community Node shall be planned to accommodate generally between 25,000 and 100,000 square metres of retail floor space.

k) The overall density for the Ancaster Community Node shall be 50 people and jobs per hectare.
l) The Ancaster Community Node shall be planned to have a strong pedestrian focus.

m) The Ancaster Community Node shall contain a broad mix of uses. Where possible, this mix of land uses should include developments either as mixed-use buildings or a mix of uses on the same property. Redevelopment of larger sites provides significant opportunities for the Community Node. Therefore, on sites greater than 2.5 hectares, a mix of uses shall be required in major redevelopments.

n) Streets within the Community Node shall be designed to provide strong pedestrian linkages and active transportation opportunities between the surrounding neighbourhoods and the Community Node.

o) Automobile access will continue to be important to the Community Node, but it shall be balanced with the need to improve pedestrian and transit access and opportunities for active transportation.

p) Parking shall be provided through on-street parking, in parking structures, and in surface lots to the rear or sides of commercial buildings.

q) Reductions in parking requirements shall be considered in order to encourage a broader range of uses and densities to support transit.

6.9.7 Residential Designations

The Wilson Street Secondary Plan has two residential areas (Transition Area and Gateway Residential Area detailed in Appendix A - Character Areas and Heritage Features) consisting of a range of housing types, densities, and a mix of housing forms. The residential policies shall define the location and scale of each type of residential use, and shall help ensure that a variety of residential types are provided to meet the diverse needs of residents.

6.9.7.1 The residential areas within the Ancaster Wilson Street Secondary Plan are designated Low Density Residential 1, Low Density Residential 3, and Medium Density Residential 2, identified on Map 1- Ancaster Wilson Street Secondary Plan: Land Use Plan, and are subject to the policies of 6.9.7.2 to 6.9.7.4.

6.9.7.2 General Residential Policies

In addition to Section 4.4 Residential of this Plan, the following policies apply to all residential land use designations identified on Map 1 - Ancaster Wilson Street Secondary Plan: Land Use Plan:
a) Residential development and infill development shall maintain and enhance the character of the residential areas through architectural style that is sympathetic and complementary with the existing adjacent residential areas, heritage buildings, and uses. Further direction, regarding design, shall be provided in the Urban Design policies detailed in Section 6.9.12.

b) Common element and condominium roads should be connected to the public active transportation network via sidewalks.

c) Reverse frontage lotting patterns shall not be permitted, except where existing on the date of approval of this Secondary Plan.

d) Direct access to individual dwelling units from Wilson Street and Fiddlers Green Road shall be discouraged and alternative forms of access, such as use of shared or common access points and rear lane arrangements, shall be encouraged.

e) Consideration of applications for residential intensification within the residential designations and established neighbourhoods shall be evaluated based on the following criteria:

i) Compatibility with adjacent land uses including matters such as shadowing, overlook, noise, lighting, traffic, and other nuisance effects;

ii) The relationship of the proposed building(s) with the height, massing, character, and scale of nearby residential buildings;

iii) The consideration of transitions in height and density to adjacent residential buildings;

iv) The relationship of the proposed lot(s) with the lot pattern and configuration within the neighbourhood;

v) The provision of amenity space and the relationship to existing patterns of private and public amenity space;

vi) The ability to respect and maintain or enhance the streetscape patterns including block lengths, setbacks, and building separations;

vii) The ability to complement the existing functions of the neighbourhood;

viii) The conservation of cultural heritage resources; and,

ix) Infrastructure and transportation capacity and impacts.

f) Housing with supports, including residential care facilities, shall be permitted in residential designated areas, as shown on Map 1 - Ancaster Wilson Street
Secondary Plan: Land Use Plan, and shall be subject to the zoning regulations, where applicable.

g) Second Dwelling Units shall be permitted within all single and semi-detached dwellings in residential designated areas, as shown on Map 1 - Ancaster Wilson Street Secondary Plan: Land Use Plan, and shall be subject to zoning regulations.

6.9.7.3 Low Density Residential Designations

a) The following policies shall apply to the lands designated Low Density Residential 1 on Map 1 - Ancaster Wilson Street Secondary Plan: Land Use Plan:

i) Low Density Residential 1 areas shall only permit single detached dwellings and semi-detached dwellings.

ii) The conversion or infill of residential buildings, or construction of new buildings for medical, business, personal service, or professional office uses shall not be permitted in areas designated Low Density Residential 1.

iii) Home Occupations shall be permitted.

iv) For areas designated Low Density Residential 1, the density range shall be between 1 - 20 net units per hectare.

v) The maximum building height shall be 2.5-storeys.

b) The following policies shall apply to the lands designated Low Density Residential 3 on Map 1 - Ancaster Wilson Street Secondary Plan: Land Use Plan:

i) Low Density Residential 3 areas shall include Single Detached, Semi-Detached, all forms of Townhouses, and Low-Rise Multi-Residential apartments.

ii) For areas designated Low Density Residential 3 on Map 1, the residential density range shall be 20 - 60 net units per hectare.

iii) The maximum building height shall be 3-storeys.

iv) Limited commercial uses shall be permitted, including business and professional offices, medical office uses or clinics, day nursery, artist studios, funeral homes, and personal services.
v) Prohibited uses include retail, financial establishments, restaurants, motor vehicle service stations, and gas bars.

vi) Commercial Uses permitted by Policy 6.9.7.3 b)iv), shall also be subject to the following:

1) Permitted uses shall be located in stand alone commercial or mixed-use buildings;

2) Residential units are encouraged on upper floors as part of any proposed development;

3) For mixed-use buildings, commercial uses shall be located on the first floor only;

4) Parking shall be accommodated on site or through shared parking lots, where feasible;

5) New stand alone commercial buildings shall be subject to the following provisions:
   a. Commercial uses shall not exceed a total gross floor area of 500 square metres; and,
   b. Buildings shall be a minimum height of 2 storeys;

6) For existing buildings established or created prior to the day of approval of this Plan, and which are converted to commercial uses, Policy 6.9.7.3b(vi)5) shall not apply. Commercial uses shall be limited to the existing building.

vii) New development or redevelopment shall ensure the height, massing, scale, and arrangement of the buildings and structures are compatible with the abutting uses.

6.9.7.4 Medium Density Residential 2 Designation

The following policies shall apply to the lands designated Medium Density Residential 2 on Map 1 - Ancaster Wilson Street Secondary Plan: Land Use Plan:

a) Single detached dwellings, semi-detached dwellings, all form of townhouse dwellings, low-rise multiple dwellings and live-work units shall be permitted.

b) The density range shall be 60 - 75 net units per hectare.
c) The maximum building height shall be 3-storeys.

d) Live-Work units shall be permitted in accordance with Policy 6.9.8.4 c) i)-iv).

6.9.8 Commercial and Mixed Use Designations

The commercial designations of the Ancaster Wilson Secondary Plan area are mainly focused on two areas, including the Village Core and the Uptown Core. Along with the limited commercial uses permitted in the residential designations, commercial designated lands are intended to meet the daily and weekly retail needs of the Ancaster community. Residential and institutional uses are also encouraged in Commercial areas. Commercial areas will not only be a place to focus retail needs, but are intended to be a focus of the community where Ancaster residents can meet and engage in community and civic activities. The Village Core area shall be the focus area for smaller scale, niche retail and service uses, while the Uptown Core shall be the focus for larger format retail serving the Ancaster community.

6.9.8.1 In addition to Section 4.5 Commercial of this Plan, Commercial, and Mixed-Use areas are designated Local Commercial, Mixed-Use - Medium Density, and Mixed-Use - Medium Density - Pedestrian Predominant, as shown on Map 1 - Ancaster Wilson Street Secondary Plan: Land Use Plan, subject to Policies 6.9.8.2 to 6.9.8.6.

6.9.8.2 General Commercials Policies

The following policies shall apply to all Commercial and Mixed-Use designations identified on Map 1 - Ancaster Wilson Street Secondary Plan: Land Use Plan:

a) Existing commercial areas shall evolve over time into compact, mixed-use people places where people can live, work, and shop.

b) Vehicular access points along Arterial and Collector roads shall be limited, and regard shall be given to the sharing of access points, adequate internal traffic circulation, accommodation for active transportation, and adequate off-street parking, loading, and manoeuvring facilities.

c) Landscaping shall form an integral part of all developments and shall provide buffering between commercial, mixed-use areas, and parking areas from adjacent sensitive land uses.

d) Mixed-Use and Commercial designated properties fronting onto Wilson Street shall accommodate and plan for pedestrian amenities and the public realm.
e) Design of commercial buildings which discourage or limit pedestrian movement or access should be avoided.

f) Commercial areas shall be developed in a co-ordinated and comprehensive manner.

g) Automobile access shall continue to be an important mode of transportation from the surrounding neighbourhoods, but it should be balanced with the need to improve pedestrian access and opportunities for active transportation.

h) Official Plan Amendment applications for retail or service commercial development exceeding 5,000 square metres of gross floor area shall be required to undertake a Commercial Need and Impact Assessment. The Commercial Need and Impact Assessment shall assess the impact of the proposal on designated retail areas and the potential for negative impacts to the planned function of these areas. Impact on planned function may include store closures, loss of vitality within the Community Node or Secondary Plan area, or may affect the attraction or success of other land uses or diminishment or the role of function of the designation.

i) Housing with supports, including residential care facilities shall be permitted in commercial and mixed use designated areas, as shown on Map 1 - Ancaster Wilson Street Secondary Plan: Land Use Plan, and shall be subject to the zoning regulations, where applicable.

6.9.8.3 Local Commercial

The following policies shall apply to the lands designated Local Commercial on Map 1 - Ancaster Wilson Street Secondary Plan: Land Use Plan:

a) Local Commercial designated areas shall function as small scale pedestrian oriented neighbourhood focal points that meet the day-to-day commercial needs of nearby residents and are located within walking distance of residents. They are planned to accommodate small scale retail and service uses.

b) Local Commercial designated areas are generally located on lands abutting or near Arterial and Collector roads.

c) The maximum permitted building height shall be 3-storeys.

d) Limited residential uses shall be permitted in the form of mixed-use buildings. Commercial uses shall be provided on the ground floor of mixed-use buildings.
e) Local Commercial uses shall be enhanced by the provision of appropriate amenities including, streetscaping measures, and emphasis on design for infill, as appropriate.

f) Required on-site parking and loading areas are encouraged to locate to the rear of buildings to achieve an attractive streetscape and a pedestrian-friendly built-form environment, where feasible.

6.9.8.4 Mixed-Use - Medium Density Designations

The following policies shall apply to the Mixed-Use - Medium Density and Mixed-Use - Medium Density - Pedestrian Predominant designations identified on Map 1 - Ancaster Wilson Street Secondary Plan: Land Use Plan:

a) There shall be two primary commercial areas in the Ancaster Wilson Street Secondary Plan which function as community focal points: the Village Core area and the Uptown Core area, as shown on Appendix A - Character Areas and Heritage Features. Retail uses shall be directed to these two primary Mixed-Use areas.

b) Mixed-Use commercial areas shall function as vibrant people places with increased day and night activity through the introduction of residential development. Residential development enhances the function of these areas as vibrant places.

c) Live-Work units shall be permitted in Mixed-Use designated areas, subject to the following:

i) Live-work units shall include small-scale retail, professional offices, and home business uses;

ii) Live-work units are intended to have a commercial use at grade and have entrances accessible directly from an Arterial street, such as Wilson Street or Fiddlers Green Road;

iii) Residential access and commercial parking shall be separate, to avoid a conflict of shared uses; and,

iv) Residential amenity space can be accommodated through the provision of balconies or decks.

d) The Uptown Core area shall be the predominant intensification area for the Ancaster Community Node.

e) The urban design and development concept for the Uptown Core and Village Core areas shall be further described in the accompanying
6.9.8.5 Mixed-Use - Medium Density Designation

The following policies shall apply to the lands designated Mixed-Use - Medium Density on Map 1 - Ancaster Wilson Street Secondary Plan: Land Use Plan:

a) The Uptown Core area, shown on Appendix A - Character Areas and Heritage Features, shall function as the focus area for larger scale commercial retail activities.

b) The following uses shall be permitted on lands designated Mixed-Use - Medium Density on Map 1 - Ancaster Wilson Street Secondary Plan: Land Use Plan:

i) Commercial uses such as retail stores, auto and home centres, home improvement centres, offices oriented to serving residents, personal services, financial establishments, live-work units, artist studios, restaurants, and gas bars;

ii) Institutional uses, such as Places of Worship and schools;

iii) Public and private cultural facilities, entertainment and recreational uses; and,

iv) Hotels, multiple dwellings, and accessory uses.

c) Lands designated Mixed-Use - Medium Density shall contain a range of buildings densities and shall be a minimum height of 2-storeys, but shall not exceed 3-storeys in height.

d) All offices within the Mixed-Use - Medium Density designation shall not exceed 10,000 square metres of gross floor area for each free standing building.

e) Although residential development is permitted and encouraged, it is not the intent of this plan for Mixed-Use - Medium Density designated areas to lose the planned retail and service function set out on this Plan.

f) Permitted uses shall be located in single or mixed-use buildings.

g) New development shall be designed and oriented to create a comfortable, vibrant, and stimulating pedestrian oriented street.
h) The Mixed-Use - Medium Density designated areas are intended to develop in a compact urban form with a streetscape design and buildings arrangement that supports pedestrian use and circulation and creative, vibrant people places.

i) The design of buildings and lands located in the Uptown Core area, identified on Appendix A - Character Areas and Heritage Features, are further detailed in Policy 6.9.12.1 j) i).

j) Development applications shall be encouraged to provide a mix of uses on the site.

6.9.8.6 Mixed-Use - Medium Density - Pedestrian Predominant

Pedestrian predominant streets are intended to cater to the pedestrian by creating a comfortable, active, and visually stimulating walking environment. Pedestrian predominant streets shall have wide sidewalks, buildings oriented to the public sidewalk, outdoor cafes, and a high level of streetscape design and activity. These areas include the main street retail areas of the former downtowns, as well as other historic main street areas and future areas designed to have similar pedestrian oriented character. The following policies shall apply to the lands designated Mixed-Use - Medium Density - Pedestrian Predominant on Map 1 - Ancaster Wilson Street Secondary Plan: Land Use Plan.

a) Lands designated as Mixed-Use - Medium Density-Pedestrian Predominant form part of the Village Core area, as shown on Appendix A - Character Areas and Heritage Features. The Village Core area shall primarily consist of service and retail uses, as well as residential uses. The Village Core area shall serve the daily retail, commercial, and personal service needs for the Ancaster community.

b) The Mixed-Use - Medium Density - Pedestrian Predominant area, known as the Village Core, shall be a focal point for Commercial development and activity and shall be the main pedestrian-oriented retail shopping area for the Secondary Plan area. The Village Core shall function as the primary centre of business, offices, services, civic, and community activities within the Ancaster community.

c) Policies 6.9.8.5 b)-h) shall also apply to Mixed-Use - Medium Density Pedestrian Predominant areas.

d) Notwithstanding Policy 6.9.8.5 c), the maximum height of buildings shall not exceed 2.5-storeys.
e) A farmers market shall be permitted on lands designated Mixed-Use - Medium Density - Pedestrian Predominant.

f) Notwithstanding Policy 6.9.8.5 b), the following uses shall be prohibited on land designated Mixed-Use - Medium Density - Pedestrian Predominant on Map 1 - Ancaster Wilson Street Secondary Plan: Land Use Plan:
   i) Drive-through facilities;
   ii) Gas bars and car washes;
   iii) Vehicle dealerships; and,
   iv) Garden centres as a primary use.

g) Building setbacks may vary along Wilson Street, and parking, driveways, or lanes shall be discouraged from being located between the buildings and the street.

h) Each building or store front shall face onto the pedestrian predominant street, with the main entrance of each building or store and substantial fenestration facing on to the street.

i) Residential uses shall not be permitted on the ground floor of a building facing onto a pedestrian predominant street.

j) On-street parking shall be provided, where feasible and appropriate.

k) Sidewalks shall be required on both sides of the street and shall be of sufficient width to:
   i) Accommodate anticipated pedestrian volumes;
   ii) Comfortably and safely accommodate the needs of persons with disabilities and seniors;
   iii) Ensure sufficient space for coordinated street furnishings, public utilities, and tree plantings; and,
   iv) Accommodate sidewalk cafés, kiosks, and street vendors, where possible.

l) Transit shelters and stops shall be provided, where appropriate;

m) New buildings and spaces shall be designed to reflect a human scale of development, contribute to public safety and security, and create a significantly enhanced pedestrian environment.
n) New buildings shall be encouraged to have awnings, canopies, arcades, or front porches to provide weather protection, subject to the Ancaster Wilson Street Secondary Plan Urban Design Guidelines.

o) Hotels shall be encouraged to locate on pedestrian predominant streets with the main façade and entrance facing the pedestrian predominant street. The main automobile arrival areas may be located on a pedestrian predominant street, provided that pedestrian circulation is accommodated.

p) The design of buildings and lands located in the Village Core area, identified on Appendix A - Character Areas and Heritage Features, are further detailed in Policy 6.9.12.1 j) ii).

q) New development shall respect and reflect the existing heritage character of the Village Core, and shall be in accordance with Section 6.9.13 of this Secondary Plan.

r) Private and public parking areas are permitted on lands designated Mixed-Use - Medium Density - Pedestrian Predominant, subject to the following:

i) Parking areas should be buffered from the street through the use of building placement or enhanced landscaping;

ii) The location of parking areas shall not negatively affect the pedestrian environment or access to buildings; and,

iii) Private and public parking areas are encouraged to provide for shared parking for several uses within the Village Core.

6.9.9 Parks and Open Space Designations

The parks designations include a Community Park, Neighbourhood Park, and Parkette. Open space areas include natural areas, linkages, and trails which can be used for passive recreation such as walking or hiking.

6.9.9.1 Parks and Open Space Designations

In addition to Section 4.3 Open Space and Conservation, and 5.3 Niagara Escarpment Area, the following policies shall apply to the lands designated Community Park, Neighbourhood Park, Parkette, Natural Open Space and, General Open Space, on Map 1 - Ancaster Wilson Street Secondary Plan: Land Use Plan:
a) All existing Parks and Open Space areas in the Ancaster Wilson Street Secondary Plan area shall be retained for use as parks and open space. These lands shall not be redeveloped for other uses to ensure they are preserved for active and passive recreation uses, and views and vistas are maintained.

b) The provision of additional Parks and Open Space designated areas shall be encouraged, should opportunities arise in the future.

c) Portions of the Ancaster Wilson Street Secondary Plan area designated as Natural Open Space form part of the Niagara Escarpment Plan Area. Policies of Section 5.3 of this Plan shall apply to Niagara Escarpment Plan areas.

d) The Radial Trail, identified as General Open Space on Map 1 - Ancaster Wilson Street Secondary Plan: Land Use Plan, is an important trail connection from the greater Ancaster area to the Wilson Street Secondary Plan area and the Ancaster Community Node. The use of improved wayfinding, where appropriate, is encouraged.

e) The provision of any additional trails and multi-use pathways through the Parks and Open Space designated areas shall ensure that the integrity of these areas is maintained.

f) A pedestrian and bicycle trail network shall be established to link all uses within the Community Node area with adjacent neighbourhoods, subject to the following:

   i) Natural walking trails shall be promoted, as shown on Appendix B - Connections, and in Policies 6.9.14; and,

   ii) It is intended that the network will use public streets, sidewalks, and public open space lands.

### 6.9.10 Institutional Designations

The Institutional designation in the Ancaster Wilson Street Secondary Plan area shall provide for the needs of the Ancaster Community. Institutional uses such as museums, schools, and Places of Worship provide for enhanced quality of life, and further provide for a range of options and land uses consistent with a node area.
6.9.10.1 Institutional Designation Policies

In addition to the policies of Sections 4.7 - Institutional, the following policies shall apply to lands designated Institutional on Map 1 - Ancaster Wilson Street Secondary Plan: Land Use Plan:

a) The following uses shall be permitted on land designated Institutional on Map 1 - Ancaster Wilson Street Secondary Plan: Land Use Plan:

i) Educational facilities, except commercial schools;

ii) Religions facilities;

iii) Cultural facilities;

iv) Health care facilities;

v) Long term care facilities;

vi) Day care facilities;

vii) Accessory uses; and,

viii) Ancillary uses.

b) The maximum height of institution buildings shall not exceed 3-storeys.

c) Notwithstanding Policy 6.9.10.1 b) the maximum height of buildings within the Village Core as shown on Appendix A: Character Areas and Heritage Features shall not exceed 2.5 storeys.

d) Administrative offices of educational, religious, cultural, health, welfare, and governmental activities, not accessory to the institutional use on the same property, may be permitted provided the following conditions are met:

i) The site shall be located on an arterial road.

ii) Adequate on-site parking shall be provided.

e) Should existing institutional uses cease operation or a new use is proposed, lands designated institutional shall be encouraged to proceed on the basis of the following considerations:

i) Retention of the existing buildings and adaptive reuse, where appropriate, will be encouraged;
ii) Land use compatibility with adjacent residential areas will be a primary consideration;

iii) In the event of adaptive reuse, preference will be given to residential uses.

f) When considering development proposals for new institutional uses or expansions to existing institutional uses within existing Institutional designations, the following criteria shall be evaluated:

i) Availability of sufficient off-street parking to meet projected demand, to minimize spill-over parking on adjacent local streets;

ii) Provision of adequate and appropriate landscaping and buffering to effectively screen parking, loading, and service areas from adjacent residential uses;

iii) The scale of the proposed institutional use and its compatibility with the character of established development in the surrounding area;

iv) The capability of the site for providing convenient access to public transit with all buildings located within a reasonable walking distance; and,

v) Use of underground parking or parking structures.

g) Housing with supports, including residential care facilities shall be permitted in institutional designated areas, as shown on Map 1 - Ancaster Wilson Street Secondary Plan: Land Use Plan, and shall be subject to the zoning regulations, where applicable.

6.9.11 Utility Designation

6.9.11.1 Utility Policies

In addition to Section 3.3 Servicing and Utilities, the following policies shall apply to the lands designated Utility on Map 1 - Ancaster Wilson Street Secondary Plan: Land Use Plan:

a) It is the intent of this Secondary Plan that utilities are developed in an orderly manner consistent with the needs of the City. The planning, design, and development of utility shall complement the intent of policies for other land uses.

b) The following uses shall be permitted on lands designated Utility on Map 1 - Ancaster Wilson Street Secondary Plan: Land Use Plan:
i) Corridors, easements, and right-of-way for utilities and services such as electric power, natural gas and oil pipelines, telecommunications storm water management, and water and wastewater service;

ii) Parking lots, in conjunction with adjacent uses; and,

iii) Open spaces, such as trials and community gardens.

c) When feasible, utilities and overhead wires should be buried underground as part of future planned road reconstruction or redevelopment.

d) Consideration shall be given to the location of telecommunication and utility equipment within the public right of way, as well as, on private property. The City encourages innovative methods of containing utility equipment on, or within streetscape features such as a gateway, lamp post, transit shelter, etc. Telecommunication utility equipment should be co-located, whenever possible, to minimize visual impact.

e) Telecommunications facilities shall be consistent with the City’s telecommunications antenna siting protocol.

f) Utilities shall integrate with the general character of the surrounding uses through the provision of landscaping, screening and buffering, siting of structures, height control, and any other measures as may be deemed to be appropriate by the City.

g) The City encourages discussions with utility providers such as hydroelectric power, communications/telecommunications, pipelines and natural gas to ensure that sufficient infrastructure is or will be in place to serve the Secondary Plan area.

h) Utilities will be planned for and installed in a coordinated and integrated basis in order to be more efficient, cost effective, and minimize disruption.

6.9.12 Urban Design Policies

Urban Design Guidelines have been prepared to implement the design directions of the Ancaster Wilson Street Secondary Plan area. The Guidelines further the vision and design concept for the Secondary Plan area by providing direction for development and redevelopment of buildings and public spaces to maintain consistent community form. Overall, the Ancaster Wilson Street Secondary Plan Urban Design Guidelines and policies of the Secondary Plan shall maintain the character that defines Ancaster by respecting its heritage and maintaining a high quality of design and aesthetic. The high quality of the built
form is intended to contribute to the overall vitality and functionality of the Secondary Plan area.

The Ancaster Wilson Street Secondary Plan Design Guidelines are based on five distinct character areas. While each character area varies in function, together, the character areas all contribute to creating a unique sense of place for the Ancaster Wilson Street Secondary Plan Area.

6.9.12.1 Urban Design Policies

The following policies shall apply to lands within the Ancaster Wilson Street Secondary Plan area:

a) Development and redevelopment shall be consistent with the Ancaster Wilson Street Secondary Plan Urban Design Guidelines and shall be sympathetic to adjacent building styles, features, and materials when adjacent to a designated or listed heritage building.

b) An Urban Design report may be required for development or redevelopment demonstrating how the proposal meets the policies of this Secondary Plan, and to demonstrate consistency with the Ancaster Wilson Street Secondary Plan Urban Design Guidelines.

c) For the purposes of maintaining community character and cohesive design, five character areas have been identified, as shown on Appendix A - Character Areas and Heritage Features. The five Character Areas include:

i) Escarpment Area, located from Montgomery Drive to Rousseaux Street, which is mainly a low density residential area;

ii) Village Core, located from Rousseaux Street to Dalley Drive, which is the traditional downtown of Ancaster consisting of retail, commercial, and mixed residential uses;

iii) Transition Area, located from Dalley Drive to Fiddlers Green Road, which is a predominantly residential area with a variety of housing types and some non-retail commercial uses along Wilson Street;

iv) Uptown Core, located from Fiddlers Green Road to west of Todd Street, which is the second mixed-use commercial area in the node, consisting of larger format retail uses; and,

v) Gateway Residential, located from Todd Street to Meadowbrook Drive, which is a predominately residential area with low and medium density housing.
d) The Ancaster Wilson Street Secondary Plan Urban Design Guidelines further describe the design objectives, function, and design character of each Character Area.

e) New development shall complement the distinct character, design, style, building materials, and characteristics which define each Character Area.

f) Design requirements shall generally only apply to commercial and mixed-use areas, institutional, and multi-residential developments. The guidelines shall not apply to single and semi-detached dwellings.

g) Development shall not negatively affect active transportation within the Ancaster Wilson Street Secondary Plan area.

h) Development and redevelopment shall foster streets as interactive outdoor spaces for pedestrians.

i) Mixed-use and commercial development shall provide a buffer, such as landscaped areas to adjacent sensitive land uses.

j) Two primary commercial mixed-use areas have been identified within the Ancaster Wilson Street Secondary Plan area, and are part of the Ancaster Community Node: the Uptown Core and Village Core, as shown on Appendix A - Character Areas and Heritage Features. The following policies shall apply to the Uptown Core and Village Core:

i) The Uptown Core, as shown on Appendix A - Character Areas and Heritage Features, shall be consistent with the following design considerations:

1) Prior to the consideration of any large scale development or redevelopment in the Uptown Core, a detailed concept plan shall be completed. An Urban Design Report shall be submitted, which demonstrates how the proposed development meets the intent of this plan and addresses the Urban Design Guidelines;

2) Development and redevelopment proposals shall incorporate pedestrian amenities, including but not limited to, internal sidewalks, street furniture, and, adequate signage and wayfinding. Should a comprehensive redevelopment of the Uptown Core occur, consideration should be given to a grid system of streets to create a clear circulation system that gives order to the development pattern and encourages walkability;
3) The Uptown Core shall be designed as a ‘complete street’ network that invites all forms of active transportation, while accommodating automobiles and transit vehicles;

4) Retail spaces and buildings shall be oriented in a 'retail main street' configuration with storefronts located close to the street and principal entrances facing the sidewalk to create a pleasant pedestrian oriented shopping environment;

5) Where feasible, all streets should be tree lined or include similar landscaped treatments;

6) Buildings shall be massed parallel to the street edges to provide a continuous street wall and appropriate pedestrian scale at the street level;

7) Parking shall be designed to have minimal frontage onto the street and to be screened from public streets by buildings and/or landscaping;

8) Curb cuts to accommodate vehicles along Wilson Street shall be limited; and,

9) Linear parks can be used to buffer commercial development or redevelopment from existing adjacent sensitive land uses.

ii) The Village Core area, shown on Appendix A - Character Areas and Heritage Features, shall be consistent with the following design considerations:

1) For buildings fronting onto Wilson Street, setbacks may be varied as per the character of the Village Core area;

2) Buildings within the Village Core should incorporate historical building features and styles in order to encourage a village atmosphere and pleasant pedestrian experience, where feasible;

3) Additional considerations to encourage the historic atmosphere of the Village Core, including heritage styled signage, and building façades, as described in the Ancaster Wilson Street Urban Design Guidelines, should be included in any development or redevelopment;

4) The Village Core should express a strong heritage design character that invites pedestrians and encourages interaction; and,
5) The heritage of the Village Core can be strengthened through the use of a public walkway linking buildings and other land uses.

6.9.12.2 Gateways

The following policies shall apply to Gateways in the Ancaster Wilson Street Secondary Plan area:

a) The Ancaster Wilson Street Secondary Plan Urban Design Guidelines have identified the following gateways, shown on Appendix A - Character Areas and Heritage Features, in the following general areas:

i) Meadowbrook Drive and Wilson Street;

ii) Reding Road/Halson Street and Wilson Street; and,

iii) Rousseaux Street and Wilson Street.

b) Gateways may take the form of a structure and/or sign or a landscaped area or laneway. Gateway type and design shall vary based on character area and function. Gateway design and features shall be completed, to the satisfaction of the City.

6.9.13 Cultural Heritage Policies

Heritage is a key component in the unique character that identifies the Ancaster Wilson Street Secondary Plan area. Due to its long history as one of the oldest communities in Ontario, Ancaster has a wealth of cultural heritage features which forms the context for new development. The intent of cultural heritage preservation is to ensure compatible style, building materials, and key features which all contribute to the community character and creating a sense of place. The integration of cultural heritage into the public and private realms can help improve walkability by making a more pleasant pedestrian environment, and thus improving the quality of public spaces. While new and modern developments are welcomed in Ancaster, new buildings should reflect the cultural heritage of the surrounding area.

6.9.13.1 Cultural Heritage Policies

Policies 6.9.13.2 to 6.9.13.44 shall apply to the cultural heritage resources within the Ancaster Wilson Street Secondary Plan area only.

6.9.13.2 The City of Hamilton shall, in partnership with others, where appropriate:

a) Protect and conserve the tangible cultural heritage resources of the Ancaster Wilson Street Secondary Plan area, including archaeological resources, built
heritage resources, and cultural heritage landscapes for present and future generations;

b) Identify cultural heritage resources through a continuing process of inventory, survey, and evaluation, as a basis for the wise management of these resources;

c) Promote awareness and appreciation of the Ancaster Wilson Street Secondary Plan’s cultural heritage and encourage public and private stewardship of and custodial responsibility for the Secondary Plan area’s cultural heritage resources;

d) Avoid harmful disruption or disturbance of known archaeological sites or areas of archaeological potential;

e) Encourage the ongoing care of individual cultural heritage resources and the properties on which they are situated together with associated features and structures by property owners, and provide guidance on sound conservation practices;

f) Support the continuing use, reuse, care, and conservation of cultural heritage resources and properties by encouraging property owners to seek out and apply for funding sources available for conservation and restoration work;

g) Ensure the conservation and protection of cultural heritage resources in planning and development matters subject to the Planning Act either through appropriate planning and design measures or as conditions of development approvals;

h) Conserve the character of areas of cultural heritage significance, including designated heritage conservation districts and cultural heritage landscapes, by encouraging those land uses, development and site alteration activities that protect, maintain and enhance these areas within the Ancaster Wilson Street Secondary Plan; and,

i) Use all relevant provincial legislation, particularly the provisions of the Ontario Heritage Act, the Planning Act, the Environmental Assessment Act, the Municipal Act, the Niagara Escarpment Planning and Development Act, the Cemeteries Act, the Greenbelt Act, the Places to Grow Act, and all related plans and strategies in order to appropriately manage, conserve, and protect Hamilton’s cultural heritage resources.
6.9.13.3 The City shall maintain, pursuant to the Ontario Heritage Act, a Register of Property of Cultural Heritage Value or Interest. In considering additions and removals of non-designated cultural heritage property to or from this Register, the City shall seek and consider advice from its Municipal Heritage Committee.

6.9.13.4 In addition to the provisions of the Ontario Heritage Act respecting demolition of cultural heritage properties contained in the Register, the City shall ensure that such properties shall be protected from harm in the carrying out of any undertaking subject to the Environmental Assessment Act or the Planning Act.

Protection of Non-Designated or Non-Registered Heritage Properties

6.9.13.5 The City recognizes there may be cultural heritage properties that are not yet identified or included in the Register of Property of Cultural Heritage Value or Interest, nor designated under the Ontario Heritage Act, but still may be of cultural heritage interest. These may be properties that have yet to be surveyed, or otherwise identified, or their significance and cultural heritage value has not been comprehensively evaluated but are still worthy of conservation.

6.9.13.6 The City shall ensure these non-designated and non-registered cultural heritage properties are identified, evaluated, and appropriately conserved through various legislated planning and assessment processes, including the Planning Act, the Environmental Assessment Act, and the Cemeteries Act.

6.9.13.7 To ensure consistency in the identification and evaluation of these non-designated and non-registered cultural heritage properties, the City shall use the criteria for determining cultural heritage value or interest established by provincial regulation under the Ontario Heritage Act and set out in Policy 6.9.13.8.

Cultural Heritage Evaluation Criteria

6.9.13.8 For consistency in all heritage conservation activity, the City shall use, and require the use by others, of the following criteria to assess and identify cultural heritage resources that may reside below or on real property:

a) Prehistoric and historical associations with a theme of human history that is representative of cultural processes in the settlement, development, and use of land in the Ancaster Wilson Street Secondary Plan area;

b) Prehistoric and historical associations with the life or activities of a person, group, institution, or organization that has made a significant contribution to the City;
c) Architectural, engineering, landscape design, physical, craft, or artistic value;

d) Scenic amenity with associated views and vistas that provide a recognizable sense of position or place;

e) Contextual value in defining the historical, visual, scenic, physical, and functional character of an area; and,

f) Landmark value.

6.9.13.9 Any property that fulfills one or more of the foregoing criteria listed in Policy 6.9.13.8 shall be considered to possess cultural heritage value. The City may further refine these criteria and provide guidelines for their use, as appropriate.

Cultural Heritage Conservation Plan Statements

6.9.13.10 The City shall prepare cultural heritage conservation plan statements for areas where the concentration or significance of cultural heritage resources requires that detailed guidance be provided for the conservation and enhancement of these resources. The statements will, in part, be prepared to ensure that development, site alteration, and redevelopment proposals demonstrate appropriate consideration for their impact on cultural heritage resources.

Cultural Heritage Impact Assessments

6.9.13.11 A Cultural Heritage Impact Assessment shall be required by the City and submitted prior to or at the time of any application submission pursuant to the Planning Act where the proposed development, site alteration, or redevelopment of lands (both public and private) has the potential to adversely affect the following cultural heritage resources through displacement or disruption:

a) Properties designated under any part of the Ontario Heritage Act or adjacent to properties designated under any part of the Ontario Heritage Act;

b) Properties that are included in the City’s Register of Property of Cultural Heritage Value or Interest or adjacent to properties included in the City’s Register of Property of Cultural Heritage Value or Interest;

c) A registered or known archaeological site or areas of archaeological potential;
d) Any area for which a cultural heritage conservation plan statement has been prepared; or,

e) Properties that comprise or are contained within cultural heritage landscapes that are included in the Register of Property of Cultural Heritage Value or Interest.

6.9.13.12 Where cultural heritage resources are to be affected, the City may impose conditions of approval on any planning application to ensure their continued protection. In the event that rehabilitation and reuse of the resource is not viable, and this has been demonstrated by the proponent, the City may require that affected resources be thoroughly documented for archival purposes, at the expense of the applicant, prior to demolition.

Public Awareness

6.9.13.13 Public awareness and enjoyment of the Ancaster Wilson Street Secondary Plan area’s cultural heritage shall be promoted. In order to enhance opportunities for conserving cultural heritage resources, the City may:

a) Participate in cultural heritage programs, including management, planning, and funding programs, of other levels of government or any other agencies and groups, that are intended to conserve, restore, protect, interpret, or communicate or otherwise assist in the management of cultural heritage resources;

b) Initiate or support public program or heritage interpretation activities intended to increase community awareness and appreciation of the City’s heritage, including its recent history and distant past, in order to represent either popular or under-represented stories, themes, and histories of people or groups;

c) Participate in public programmes or heritage interpretation activities of other levels of government or other agencies and groups;

d) Encourage active citizen participation in cultural heritage conservation activities; and,

e) Name roads, streets, water courses, and other public places and facilities to recognize all persons, groups, themes, activities, landscapes, or landmarks of interest in the Ancaster Wilson Street Secondary Plan that have contributed to the cultural heritage and diversity of Hamilton’s history.

6.9.13.14 Within the Ancaster Wilson Street Secondary Plan area the City shall conserve individual cultural heritage properties and areas of heritage value, including streetscape features, traditional circulation patterns, and important
views; and ensure that new development respects and reflects the design of surrounding heritage buildings.

6.9.13.15 New development or redevelopment of the Ancaster Wilson Street Secondary Plan area containing heritage buildings or adjacent to heritage building shall:

a) Encourage a consistent street orientation in any new building forms;

b) Maintain any established building line of existing building(s) or built form by using similar setbacks from the street;

c) Support the creation of a continuous street wall through built form on streets distinguished by commercial blocks or terraces;

d) Encourage building heights in new buildings that reflect existing built form, wherever possible, or encourage forms that are stepped back at upper levels to reflect established cornice lines of adjacent buildings or other horizontal architectural forms or features; and,

e) Reflect the character, massing, and materials of surrounding buildings.

6.9.13.16 The City shall encourage the use of contemporary architectural styles, built forms, and materials which respect the heritage context.

6.9.13.17 Where alterations are proposed to built heritage resources within the Ancaster Wilson Street Secondary Plan area, the following principles shall be followed:

a) Maintain the basic relations of the horizontal divisions of the building;

b) Maintain original façade components and materials, wherever possible;

c) Replicate the original parts and materials, wherever possible; and,

d) Remove elements that are not part of or hide the original design.

Established Historical Neighbourhoods

6.9.13.18 The City shall protect established historical neighbourhoods, as identified in the cultural heritage landscape inventory, and other City initiatives, by ensuring that new construction and development are sympathetic and complementary to existing cultural heritage attributes of the neighbourhood, including lotting and street patterns, building setbacks and building mass, height, and materials.
6.9.13.19 Intensification through conversion of existing built heritage resources shall be encouraged only where original building fabric and architectural features are retained, and where any new additions, including garages or car ports, are no higher than the existing building and are placed to the rear of the lot or set back substantially from the principal façade. Alterations to principal façades and the paving of front yards shall be avoided.

Commercial and Industrial Heritage Properties

6.9.13.20 The City shall encourage the intensification and adaptive reuse of commercial heritage properties. Any permitted redevelopment shall ensure, where possible, that the original building fabric and architectural features are retained, and that any new additions will complement the existing building in accordance with the policies of this Plan.

6.9.13.21 To facilitate the intensification and adaptive reuse of such properties, the City may allow reduced parking or other site and amenity requirements.

6.9.13.22 Archaeology Policies

The City shall require the protection, conservation, or mitigation of sites of archaeological value and areas of archaeological potential, as provided for under the Planning Act, the Environmental Assessment Act, the Ontario Heritage Act, the Municipal Act, the Cemeteries Act, or any other applicable legislation.

6.9.13.23 In areas of archaeological potential, an Archaeological Assessment shall be required and submitted prior to, or at the time of application submission, for the following planning matters under the Planning Act:

a) Secondary Plan Amendment, unless the development proposed in the application in question or other applications on the same property does not involve any site alteration or soil disturbance;

b) Zoning By-law Amendments, unless the development proposed in the application in question or other applications on the same property does not involve any site alteration or soil disturbance; and,

c) Plans of subdivision.

6.9.13.24 In areas of archaeological potential, an Archaeological Assessment:

a) May be required and submitted, prior to or at the time of application submission, for the following planning matters under the Planning Act when they involve soil disturbance or site alteration:
i) Site Plan applications; and,

ii) Plans of condominium.

b) May be required for the following planning matters under the Planning Act when they involve soil disturbance or site alteration:

i) Minor variances; and,

ii) Consents/severances.

6.9.13.25 Archaeological Assessments shall be prepared in accordance with any applicable guidelines.

6.9.13.26 Prior to site alteration or soil disturbance relating to a Planning Act application, any required Archaeological Assessment must be approved, in writing, by the Province and the City, indicating that there are no further archaeological concerns with the property or concurring with the final resource management strategy to be implemented. The City may also require a higher standard of conservation, care, and protection for archaeological resources based on prevailing conditions and circumstances within the City, and the results of any dialogue with First Nations and their interests.

6.9.13.27 The City considers the following archaeological resources to be of particular interest, value, and merit:

a) Spatially large, dense lithic scatters (peak levels of more than 99 artifacts per square-metre);

b) Deeply buried or stratified archaeological sites;

c) Undisturbed or rare Native archaeological sites;

d) Sacred archaeological sites;

e) Archaeological sites comprising human burials;

f) Paleo-Indian archaeological sites;

g) Early-Archaic archaeological sites;

h) Woodland period archaeological habitation sites;

i) Post-contact archaeological sites predating 1830 AD; and,
j) Post 1830 archaeological site(s) where background documentation or archaeological features indicate heritage value.

6.9.13.28 To conserve these resources, avoidance, and protection in situ shall be the preferred conservation management strategies. Where it has been demonstrated in an Archaeological Assessment by a licensed Archaeologist that avoidance is not a viable option, alternative mitigation measures shall be agreed upon by the Province and the City, and in accordance with the Archaeology Management Plan.

6.9.13.29 The City may use all relevant provisions of the Planning Act to prohibit the use of land and the placement of buildings and structures in order to protect and conserve sites or areas of significant archaeological resources.

6.9.13.30 Where a marked or unmarked cemetery or burial place is encountered during any Archaeological Assessment or excavation activity, the provisions of the Cemeteries Act and associated regulations, and the policies of this Plan, shall apply.

6.9.13.31 Where a marked or unmarked cemetery or burial place is found, the nearest First Nation shall be notified.

6.9.13.32 An inventory of built heritage resources shall be prepared by the City and, as appropriate, may be included in the Register of Property of Cultural Heritage Value or Interest. Registered properties containing built heritage resources may be considered for designation under the Ontario Heritage Act, and shall be protected in the carrying out of any undertaking subject to the Environmental Assessment Act or the Planning Act.

6.9.13.33 The City shall encourage the retention and conservation of significant built heritage resources in their original locations. In considering planning applications under the Planning Act and Heritage Permit applications under the Ontario Heritage Act, there shall be a presumption in favour of retaining the built heritage resource in its original location.

6.9.13.34 Relocation of built heritage resources shall only be considered where it is demonstrated by a Cultural Heritage Impact Assessment that the following options, in order of priority, have been assessed:

   a) Retention of the building in its original location and its original use; or,

   b) Retention of the building in its original location, but adaptively reused.

6.9.13.35 Where it has been demonstrated that retention of the built heritage resource in its original location is neither appropriate nor viable, the following options, in order of priority, shall be considered:
a) Relocation of the building within the area of development; or,

b) Relocation of the building to a sympathetic site.

6.9.13.36 Where a significant built heritage resource is to be unavoidably lost or demolished, the City shall ensure the proponent undertakes one or more of the following mitigation measures, in addition to a thorough inventory and documentation of the features that will be lost:

a) Preserving and displaying of fragments of the former buildings’ features and landscaping;

b) Marking the traces of former locations, shapes, and circulation lines;

c) Displaying graphic and textual descriptions of the site’s history and former use, buildings, and structures; and,

d) Generally reflect the former architecture and use in the design of the new development, where appropriate, in accordance with Section 6.9.12.

6.9.13.37 Cultural Heritage Landscapes

6.9.13.37.1 A cultural heritage landscape is a defined geographical area characterized by human settlement activities that have resulted in changes and modifications to the environment, which is now considered to be of heritage value or interest. Cultural heritage landscapes may include distinctive urban streetscapes and commercial main streets, designed landscapes such as parks, cemeteries and gardens, nineteenth and twentieth century urban residential neighbourhoods, as well as commercial areas and industrial complexes.

6.9.13.37.2 An inventory of cultural heritage landscapes shall be prepared by the City and may be included in the Register of Properties of Cultural Heritage Value or Interest. Cultural heritage landscapes may also be considered for designation under the Ontario Heritage Act, and shall be protected in the carrying out of any undertaking, subject to the Environmental Assessment Act or the Planning Act.

6.9.13.37.3 Cultural Heritage Landscapes shall be conserved and protected with the intent of retaining major characteristics. This shall be implemented by the review of planning applications under the Planning Act. The City shall ensure that any proposed change is consistent within the policies of the Secondary Plan. The Village Core, as shown on Appendix A - Character Areas and Heritage Features and in the supporting Urban Design Guidelines, has been identified as a Cultural Heritage Landscape.
Heritage Conservation Districts

6.9.13.38 The City, in consultation with its Municipal Heritage Committee, may designate properties, including cultural heritage landscapes, as heritage conservation districts under the Ontario Heritage Act where it has been determined that the district possesses one or more of the following attributes:

a) A group of buildings, features, and spaces that reflect an aspect of local history, through association with a person, group, or activity;

b) Buildings and structures that are of architectural or vernacular value or interest; and,

c) Important physical and aesthetic characteristics that provide an important context for cultural heritage resources or associations within the district, including features such as buildings, structures, landscapes, topography, natural heritage, and archaeological sites.

6.9.13.39 The City shall in accordance with the Ontario Heritage Act:

a) Define and examine study areas for future Heritage Conservation District designation;

b) Prepare area studies of prospective Heritage Conservation Districts; and,

c) Prepare heritage conservation district plans.

6.9.13.40 The City may, in accordance with the Ontario Heritage Act, by By-law, prohibit or set limitations with respect to property alteration, erection, demolition, or removal of buildings or structures, or classes of buildings or structures, within the Heritage Conservation District study area through:

a) The retention and conservation of historical buildings, structures, or features on their original sites shall be encouraged through:

i) Adaptive re-use and preservation of existing buildings before new development is considered;

ii) Maintaining a listing of historical designated and listed properties of interest. Historic buildings are shown on Appendix A - Character Areas and Heritage Features.

iii) Integrating cultural heritage resources into new development proposals in their original use or an appropriate adaptive reuse, where possible.
b) When development is proposed adjacent to existing designated or listed heritage buildings, as shown on Appendix A - Character Areas and Heritage Features, a Planning Justification Report shall detail how the proposed development is consistent with the character and style of the surrounding heritage buildings.

c) The tree lined streetscape of portions of the Ancaster Wilson Street Secondary Plan area shall be maintained and protected, where feasible, to enhance and preserve the character of the street and surrounding neighbourhood area.

6.9.13.41 Special Character Roads

The following policies shall apply to the portions of Jerseyville Road East, Wilson Street East, and Sulphur Springs Road, identified as Special Character Roads on Appendix A - Character Areas and Heritage Features:

a) Special Character Roads are identified on Appendix A - Character Areas and Heritage Features, and include:

i) Jerseyville Road East from Lovers Lane to Wilson Street East;

ii) Sulphur Springs Road from Mansfield Drive to Wilson Street East; and,

iii) Wilson Street East from Rousseaux Street to Halson Street.

b) The existing road cross-section, including existing mature vegetation fronting along the street, shall be maintained, where feasible. Protection of trees may require unique approaches to grading and to the preservation of trees along the road.

c) The existing character of these streets identified in 2.8.12.2 a) shall be protected by minimizing changes to the existing road right-of-way and ensuring that development is compatible with, and sympathetic in design to the character of the existing streetscape.

Cultural Heritage Impact Assessment

6.9.13.42 Where the City requires a proponent to prepare a Cultural Heritage Impact Assessment, it shall be undertaken by a qualified professional with demonstrated expertise in cultural heritage assessment, mitigation, and management, according to the requirements of the City's Cultural Heritage Impact Assessment Guidelines, and shall contain the following:
a) Identification and evaluation of all potentially affected cultural heritage resource(s), including detailed site(s) history and a cultural heritage resource inventory containing textual and graphic documentation;

b) A description of the proposed development or site alteration and alternative forms of the development or site alteration;

c) A description of all cultural heritage resource(s) to be affected by the development and its alternative forms;

d) A description of the effects on the cultural heritage resource(s) by the proposed development or site alteration and its alternative forms; and,

e) A description of the measures necessary to mitigate the adverse effects of the development or site alteration and its alternatives upon the cultural heritage resource(s).

6.9.13.43 Where cultural heritage resources are to be affected, the City may impose conditions of approval on any Planning Act applications to ensure their continued protection. In the event that rehabilitation and reuse of the resource is not viable, and this has been demonstrated by the proponent, the City may require that affected resources be thoroughly documented for archival purposes, at the expense of the applicant, prior to demolition.

Archaeology Assessment

6.9.13.44 Any required Archaeological Assessment must be conducted by an Archaeologist, licensed under the Ontario Heritage Act, and shall be submitted to the City for final approval and to the Province for review and compliance to licensing provisions and Archaeological Assessment standards and guidelines. The Archaeological Assessment:

a) Shall be prepared following the terms and conditions set out in the provincial guidelines; and,

b) Shall provide conservation-related recommendations, including, but not restricted to, subsequent processes and procedures for the conservation and management of archaeological resources prior to, during, and post development and/or site alteration-related activities. This may address further archaeological test-excavation and evaluation prior to the determination of a final resource management strategy and the submission of any further reports required by the Province or City. Such recommended processes and procedures for archaeological management shall be implemented through a variety of measures including, but not limited to, the mitigation, preservation, and/or resource excavation,
removal and documentation, of all archaeological resources, to the satisfaction of the City, and approval by the Province.

6.9.14 Transportation and Linkages Policies

The Ancaster Transportation Master Plan (ATMP) forms the basis for the transportation policies and implementation for the Ancaster Wilson Street Secondary Plan area. The following Secondary Plan policies are intended to support the recommendations of the Transportation Master Plan. Transportation within the Secondary Plan area should accommodate all users and modes of transportation.

6.9.14.1 Transportation Policies

In addition to Section 3.2 Transportation, the following transportation policies shall apply to the Ancaster Wilson Street Secondary Plan area:

a) Roads within the Ancaster Wilson Street Secondary Plan shall be classified as either, Arterial, Collector or Local roads subject to the following:
   i) Arterial and Collector roads are identified on Schedule E of this Plan; and,
   ii) Roads, shown on Map 1 Ancaster Wilson Street Secondary Plan - Land Use Plan, which are not classified as Arterial or Collector on Schedule E, shall be considered Local roads.

b) Roads classified as Arterial, Collector, and Local shall be developed in accordance with Policies 3.2.1 of this Plan.

c) Notwithstanding Section 3.2.2 of this Plan, the right-of-way for Wilson Street, Halson Street, and Fiddlers Green Road shall be as follows:

<table>
<thead>
<tr>
<th>Road</th>
<th>From</th>
<th>To</th>
<th>Future Right of way Width (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fiddlers Green Road</td>
<td>Jerseyville Road</td>
<td>Wilson Street</td>
<td>26.213</td>
</tr>
<tr>
<td></td>
<td>Wilson Street</td>
<td>Douglas Road</td>
<td>32.004</td>
</tr>
<tr>
<td>Sulphur Springs Road</td>
<td>Wilson Street</td>
<td>Lodor Street</td>
<td>20.117</td>
</tr>
<tr>
<td>Wilson Street</td>
<td>Rousseaux Street</td>
<td>Halson Street</td>
<td>20.117</td>
</tr>
<tr>
<td></td>
<td>Halson Street</td>
<td>Meadowbrook Drive</td>
<td>30.480</td>
</tr>
</tbody>
</table>
d) All intersections should be designed to support safe pedestrian crossing. Major intersections should support pedestrian crossings by providing safe crossing points and connection to public walkways. Boulevard tree planting should be closely spaced in the vicinity of such intersections.

e) The transportation network in Ancaster shall proceed on the basis of the recommendations of the Ancaster Transportation Master Plan, as amended.

f) Where warranted, and in accordance with the Ancaster Transportation Master Plan, pedestrian crossings should be implemented to facilitate the movement of pedestrians throughout the Secondary Plan area.

g) Access to Wilson Street for development shall be via shared laneways or condominium roads, where possible, to contribute to an improved streetscape and urban character, while enhancing road safety by limiting multiple individual accesses onto Wilson Street.

h) On-street parking shall be encouraged on Wilson Street, where appropriate, to provide additional parking for area residents and businesses, and to serve as a natural traffic calming method and provide a buffer between moving traffic and pedestrians.

i) Development within the Ancaster Wilson Street Secondary Plan area shall have regard for the Council-adopted Transit Oriented Development Guidelines.

6.9.14.2 Active Transportation Network

The following policies shall apply to the entire Wilson Street Secondary Plan area:

a) Secondary trails, cycling facilities, and pedestrian pathways are encouraged to promote connections to prominent destinations, such as large open spaces and institutional areas, in accordance with the potential connections identified on Appendix B - Connections.

b) Where feasible, off-street pedestrian linkages should be expanded to increase the active transportation network. Completion/connection of the proposed trails and cycling routes, shown on Appendix B - Connections, shall be achieved through land dedications and easements in order to connect existing pathways to future planned routes.

c) When development occurs, pedestrian amenities shall be required in order to promote a viable streetscape and encourage active transportation and a continuous street presence. Pedestrian amenities include, but are not limited to, street furniture, wayfinding signs, and paved walkways.
d) An Urban Design Report shall be submitted as part of any development or redevelopment, and shall demonstrate how pedestrian amenities can be accommodated.

e) In addition to the recommendations of the Ancaster Transportation Master Plan, the Shifting Gears Cycling Master Plan, and the Recreation Trails Master Plan, additional linkages and connections shall be encouraged for the Ancaster Wilson Street Secondary Plan area, as detailed on Appendix B - Connections, and through the following additional recommendations:

i) Shared on-road bicycle lanes along Sulphur Springs Road are encouraged;

ii) Continuous and wider sidewalks are encouraged for Sulphur Springs Road, Jerseyville Road, and Amberly Boulevard;

iii) Connections between the community and the Escarpment should be encouraged through a trailhead connection at Old Dundas Road;

iv) Pedestrian connections are encouraged to directly connect the trailhead at Old Dundas Road to the Village Core area and to Sulphur Springs Road; and,

v) For properties fronting onto Wilson Street East within the Village Core area, pedestrian connections between the trailhead at Old Dundas Road and the Village Core area and to Sulphur Springs Road shall be provided subject to the following:
   i) Pedestrian connections shall be established through development or redevelopment of a property which requires a Planning Act approval including an Official Plan amendment, Zoning By-law amendment, Plan of Subdivision, consent to sever, or Site Plan approval, and which can appropriately accommodate the connection;
   ii) The City may facilitate the establishment of a pedestrian connection at the time of development or redevelopment of a property; and,
   iii) Pedestrian connections between the Village Core area, the trailhead at Old Dundas Road and Sulphur Springs Road may include but are not limited to a trail, sidewalk, easement, or a combination of public road walkways and trails.

6.9.14.3 Public Transit Network

The following policies shall apply to the entire Wilson Street Secondary Plan area:
a) Development shall be directed towards Wilson Street, in accordance with Sections 6.9.6 and 6.9.7, to provide support for the provision of Public Transit.

b) The City shall explore the feasibility of a transit hub within the Ancaster Wilson Street Secondary Plan area to better connect to the greater transit system of Hamilton, in accordance with the Ancaster Transportation Master Plan.

c) Public Transit stops should be designed to maximize transit use and access, where feasible.

6.9.15 Infrastructure Policies

Municipal services, such as sewers, water, stormwater systems and public/private utilities, shall be provided, maintained, and upgraded, as necessary, to accommodate the needs of existing and future development in the Ancaster Wilson Street Secondary Plan area.

6.9.15.1 In addition to Section 3.3, Service and Utilities, the following policies shall apply to the entire Wilson Street Secondary Plan area:

a) Innovative servicing technologies, to improve stormwater management, including but not limited to, green roofs and grey water recycling, in accordance with City By-laws and provincial regulations, shall be encouraged in building design and development and redevelopment, where feasible.

b) Where possible, stormwater management facilities should be located adjacent to other open space areas.

c) The City shall continuously monitor the capacity and reassess the need to manage stormwater runoff, as necessary.

d) Infrastructure related works within the Ancaster Wilson Street Secondary Plan area shall have regard for the heritage and character of the Ancaster Wilson Street Secondary Plan area by maintaining heritage features and landscapes, where feasible.

e) All new development and redevelopment within the Ancaster Wilson Street Secondary Plan area shall be connected to the City’s Water and wastewater system.

f) The City shall discourage changes in land use designations and zoning which would result in the underutilization of previously planned and/or constructed water and wastewater systems.
g) Water and wastewater systems shall be designed and constructed in accordance with the specifications and standards of the City, Provincial guidelines, and other applicable standards and guidelines.

h) The City shall be satisfied that adequate infrastructure services can be provided, prior to any development or intensification proceeding, and where technically and economically possible, the City shall require such services to be located underground.

i) Any new development that occurs shall be responsible for submitting a detailed stormwater management plan, prior to development, to properly address on-site drainage and ensure that new development has no negative impact on off-site drainage.

6.9.16 Site Specific Policies

The sites within the Ancaster Wilson Street Secondary Plan area, which are identified as Site-Specific Policy Areas and identified on Map 1 - Ancaster Wilson Street Secondary Plan: Land Use Plan, include:

a) Site-Specific Policy - Area A - 437 Wilson Street East;

b) Site-Specific Policy - Area B - Part of 449 Wilson Street East and Part of 548 Old Dundas Road;

c) Site-Specific Policy - Area C - 143 and 153 Wilson Street East;

d) Site-Specific Policy - Area D - 129-139 Wilson Street West;

e) Site-Specific Policy - Area E - 357 Wilson Street East; and,

f) Site-Specific Policy - Area F - 385 Wilson Street East.

Site Specific Policy - Area A

6.9.16.1 For the lands known municipally as 437 Wilson Street East, identified as Site Specific Policy - Area A on Map 1 - Ancaster Wilson Street Secondary Plan: Land Use Plan, and designated as Institutional and Natural Open Space, the following policies shall apply:

a) Prior to any proposed development or redevelopment of the site, other than institutional uses, the following studies shall be submitted as part of a complete Planning Act application, and shall be completed, to the satisfaction of the City to ensure development or redevelopment occurs in an appropriate and orderly manner:
i) Cultural Heritage Impact Assessment;

ii) Archaeological Assessment;

iii) Detailed Concept Plan;

iv) Urban Design Report;

v) Functional Servicing Plan;

vi) Hydro-Geological Assessment;

vii) Planning Justification Report;

viii) Environmental Impact Statement;

ix) Comprehensive Transportation Management and Traffic Impact Plan;

x) Tree Preservation Plan; and,

xi) Visual Impact Assessment, where required, to the satisfaction of the City, in consultation with the Niagara Escarpment.

b) Any proposed development shall be consistent with the intended principles and objectives of this Secondary Plan.

c) In accordance with policy 6.9.14.2 e) v) a condition of any proposed development or redevelopment of the lands known as 437 Wilson Street East requiring a Planning Act approval including an Official Plan Amendment, Zoning By-law amendment, consent to sever, Plan of Subdivision or Site Plan approval, shall ensure pedestrian connections are established between the trailhead at Old Dundas Road, the Village Core area and Sulphur Springs Road.

Site-Specific Policy - Area B

6.9.16.2 For portions of the lands known municipally as 449 Wilson Street East and 548 Old Dundas Road, identified as Site-Specific Policy - Area B on Map 1 - Ancaster Wilson Street Secondary Plan: Land Use Plan, the following policies shall apply:

a) Notwithstanding Section 6.9.9 - Parks and Open Space Designations, existing residential and commercial uses shall be permitted, in accordance with the provisions of the Zoning By-law.
Site-Specific Policy - Area C

6.9.16.3 For the lands known municipally as 143 and 153 Wilson Street West, identified as Site-Specific Policy - Area C on Map 1 - Ancaster Wilson Street Secondary Plan: Land Use Plan, the following policies shall apply:

a) Notwithstanding Policy 6.9.7.4 b) Medium Density Residential 2 Designation, the net minimum residential density shall be 16.95 units per hectare.

Site-Specific Policy - Area D

6.9.16.4 For the lands known municipally as 129-139 Wilson Street West, identified as Site-Specific Policy - Area D on Map B.2.8-1 - Ancaster Wilson Street Secondary Plan: Land Use Plan, the following policies shall apply:

a) Notwithstanding Policy 6.9.7.4 b) Medium Density Residential 2 Designation, the permitted residential building shall not exceed a height of four storeys above grade.

Site-Specific Policy - Area E

6.9.16.5 For the lands known municipally as 357 Wilson Street East, identified as Site-Specific Policy - Area E on Map B.2.8-1 - Ancaster Wilson Street Secondary Plan: Land Use Plan, the following policies shall apply:

a) In addition to Policy 6.9.10 Institutional Designation, a mixture of uses shall be permitted in accordance with the Mixed-Use - Medium Density Pedestrian Predominant designation in Policy 6.9.8.6 without an amendment to this Plan.

Site-Specific Policy - Area F

6.9.16.6 For the lands known municipally as 385 Wilson Street East, identified as Site Specific Policy - Area F, on Map 1 - Ancaster Wilson Street Secondary Plan: Land Use Plan, and designated as Mixed–Use - Medium Density - Pedestrian Predominant, the following policies shall apply:

a) Notwithstanding the policies of this Secondary Plan, development shall be in accordance with the Ontario Municipal Board Decision for PL111062, dated July 31, 2012; and,

b) If development proposed for 385 Wilson Street East is not in accordance with the Ontario Municipal Board Decision for PL111062, dated July 31,
2012, the proposed development shall be subject to the policies of this Secondary Plan.

**Implementation:**

A Zoning By-law Amendment and future Planning Act applications will give effect to this Official Plan Amendment.

This is Schedule "1" to By-law No. 12- 133 passed on the 13th day of June, 2012.

The  
City of Hamilton

__________________________  ____________________________
R. Bratina  
MAYOR  

__________________________  ____________________________
Rose Caterini  
CLERK